SPEECH

OF

HON. JAS. B. McKEAN, OF NEW YORK.

Delivered in the House of Representatives, February 18, 1861.

The House having under consideration the report from the select committee of thirty-three—

Mr. McKEAN said:

Mr. SPEAKER: I have often read in the British classics the instructive tale, entitled "A Day's Journey: a Description of Human Life." The great essayist, in his orotund, Anglo-Latin style, relates that "Obidah, the son of Abensina, left the caravansera early in the morning, and pursued his journey through the plains of Indostan." The youthful traveller, vigorous with rest, animated with hope, and delighted with the songs of birds, walked swiftly forward. When the sun was high in the heavens, he turned from the road into a more shaded path which seemed to lead in the same direction. Charmed with the ever-varying landscape, he proceeded for many hours. At length, convinced that he was going further and further from the main road and the end of his journey, he paused. But his way had been so devious that he could not return, and he was afraid to go forward lest he should go wrong. Night was approaching; a storm was gathering, and, summoning his remaining energies, he ran hither and thither, not knowing where. Darkness closed about him; the tempest burst upon him; wild beasts howled around him; and appalled and exhausted, he was about to fall and resign himself to his fate, when he suddenly saw through the gloom the glimmer of a taper. Help was at hand.

Sir, while I have sat here silent and sad, I have said to myself, how like the journey of Obidah has been the course of this young nation. Alas! that the career of a great people should be cited

"To point a moral or adorn a tale!"

We were born with a rich inheritance of liberty in possession, and a continent in reversion; France came and stood sponsor for us in the baptism of the Revolution; great nations smiled upon us, and welcomed us into the family of nations; the fathers of the Republic laid their holy hands on our heads and blessed us, and said, "Bring no more bondmen here from Africa; take no bondmen into the Territories, the common patrimony which we leave you; 'rest in the belief that slavery is in process of ultimate extinction,' and let

freedom be the rule." When we were a few years older, Napoleon, sitting on horse-back, signed the instrument by which France sold us Louisiana, and, tapping it with the hilt of his sword, said: "There, I have ceded to that young nation across the Atlantic a tract of country that will some day make it the greatest nation in the world." Since then, we have acquired other vast Territories; and, alas! for us, we have let slavery expand—slavery, of which Simon Bolivar said, "It is the infringement of all laws;" of which Henry Clay said, "It is a practical war against the rights of mankind." We have forgotten the fable of the farmer and the serpent; and the monster which at first we hated, we "then endured, then pitied, then embraced," and now we are struggling in its fearful folds. Alas! for us, we have wandered far from the beaten track trodden by our fathers, and now darkness surrounds us and storms burst upon us! In the gloom, now and then, I hear voices, some of them faintly and some more confidently, saying, "Light! light!" What light? I ask. Is it a star or an *ignis fatuus?*

Mr. Speaker, the slaveholders have been fairly defeated in a Presidential election. They now demand that the victors shall concede to the vanquished, all that the latter have ever claimed, and vastly more than they could secure when they themselves were victors. Sir, shall we yield? Does the history of the human race afford any parallel to the audacity of such a demand, or the cowardice of such a concession? They take their principles in one hand, and the sword in the other, and reaching out the former, they say to us, "Take these for your own; administer the Government upon them, or we will strike." Nay, they have struck. Though the Senate is theirs; the Supreme Court theirs; the House not ours; and though we have never had the control of the Government, yet, without waiting for the President elect to come into office; without waiting to see if any wrong is to be done them, they declare the Union dissolved; they seize upon your custom-houses, your revenue cutters, your money, your forts, arsenals, arms, and ammunitions; they fire upon your vessels and your flag; they besiege your garrisons, and imprison for treason Federal officers who obey you and not them. Do you ask, where is our army? I answer, sent by traitors high in office far away among the mountains. Do you ask, where is our navy? I answer, sent by traitors high in office to distant seas. Do you ask, where are the munitions and arms designed for the self-defence of the people? I answer, sent by traitors high in office to be delivered to rebels. Do you ask, where are the funds of our Treasury? I answer, plundered by traitors high in office; traitors compared with whom Catiline was a patriot. Ay, sir, until overawed by that second saviour of his country, Winfield Scott, traitors were plotting to seize this Capitol, and the archives of the Government. What, sir, shall be done? Shall this nation, lately so boastful, now when danger has come, skulk away like a very coward? Oh, for shame! let us not fall without one manly, noble effort to stand.

Mr. Speaker, for the sake of brevity, I have expressed certain opinions, as follows:

Resolved, That the several States did not "ordain and establish" the Constitution; that it was made by "the PEOPLE of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general wel-

fare, and secure the blessings of liberty to themselves and their posterity;" that they withdrew from their several State Governments certain powers and vested them in one General Government, whose Constitution, laws, and treaties, are "the supreme law of the land, anything in the Constitution or laws of any State to the contrary notwithstanding;" that we are not thirty-four nations, but one nation, made such by the Constitution, and known to the world as the American nation; that every nation has the right of self-preservation, the right to defend itself against enemies from without and traitors from within, and the right to coerce every citizen who resists the execution of its laws.

But I am asked, shall the Government send troops to invade the seceding States and put down the rebellion by force of arms? Shall judges, marshals, and district attorneys be appointed for those States, and be furnished with dragoons and infantry and artillery to enable them to discharge their duties? Shall each mail carrier be furnished with a company of soldiers to guard his mail bags? Shall each post office be converted into a fortress? Shall fleets and armies be employed to collect the customs at ports where, even in time of peace, the revenue is much less than the expense of collecting it? But one answer can be given to these questions, and that is an emphatic, NO!

But what shall be done to maintain the integrity of the Government, and make those who assail it sensible of their folly? Some weeks since I introduced a bill to close the ports of South Carolina to foreign trade. Since then, other States have assumed to secede, which may make it necessary to extend the application of that principle. The committee to whom that bill was referred have, through Mr. JOHN COCHRANE, reported a bill applicable to all similar cases. Let that bill pass, and be carried into effect; let every port to which it shall apply be blockaded by a revenue cutter, or other sufficient force to prevent contraband trade; and let our fortresses in such ports be sufficiently garrisoned for the same purpose.

It will be no objection to this policy that, while it punishes the disloyal citizens of the extreme South, it will also drive much of their trade, over inland routes, to other and loyal States and ports; nor will it be any objection to it that it saves to the Treasury a larger sum that the revenue of those ports amounts to. We will not compel the disloyal States to accept our mail service, nor beseech their Senators and Representatives to remain in Congress. We will control the Mississippi river, and keep this Capitol; and wait—patiently, firmly wait. Time will be our ally. In the recent election the disunionists were beaten in several of the Southern States, and hard pressed in several more, by men who took their stand on "the Union, the Constitution, and the enforcement of the laws." *We* stand there to-day. Let us continue to stand there, and pursue the dignified, forbearing, Fabian policy referred to; and will they not rise again and come and stand by us, and bring others with them?

It is proposed that the power to close the ports be conferred upon the President, instead of being exercised by Congress. I care little about the mode of doing it, provided it be done. But I cannot forget who is President; and that he has failed to exercise many of the powers he already possesses, and has perverted others, and that he is more responsible than all others for our calamities.

Marino Faliero, Doge of Venice, plotted to overthrow the institutions of his country. He and his co-conspirators were convicted of treason; they were hanged, and he was beheaded. His portrait was not admitted to range with

those of his brother Doges in the hall of the great council; but in the frame which it should have occupied, the Venetians hung a black vail.

When the history of our unhappy, but again to be glorious country shall be fully written, the name of Washington, unequalled in greatness and goodness; of Jefferson, whose love of liberty was as pure as a mother's love; of the Adamses, whose great public services were equalled only by their private virtues, in both of which each rivalled the other; of Jackson, whose stern soul was given to his country, and the union of his country, with the devotion of a lover; the names of these great men, and those of their patriotic successors, shall illumine the leaves of that history. But, alas! sir, some black—would they were blank—pages shall be the mournful record of James Buchanan's administration. Let us try to hope that at least some lunar light may fall on its finis.

I am reconciled to the proposition to give to the President the power to close ports of entry, only by the consideration that we shall soon have a President who will want neither the courage nor the disposition to do his duty.

Some days since I introduced here the following proposition:

"Whereas the 'Gulf States' have assumed to secede from the Union, and it is deemed important to prevent the 'border slave States' from following their example; and whereas it is believed that those who are inflexibly opposed to any measure of compromise or concession that involves, or may involve, a sacrifice of principle or the extension of slavery, would nevertheless cheerfully concur in any lawful measure for the emancipation of the slaves: Therefore,

"*Resolved*, That the select committee of five be instructed to inquire whether, by consent of the people, or of the State Governments, or by compensating the slaveholders, it be practicable for the General Government to procure the emancipation of the slaves in some, or all, of the 'border States;' and if so, to report a bill for that purpose."

In the brief hour allowed me, I cannot fully discuss the report of the committee of thirty-three, much less the great questions involved in this resolution. On some other occasion, I hope to discuss the measure of compensated emancipation. I will only say now, that if the offer thus to emancipate the slaves shall be made and accepted, our difficulties are solved; but if made and rejected, let the slaveholders ever afterwards hold their peace.

Mr. Speaker, when the gentleman from Virginia, [Mr. Boteler,] on the first day of this session, moved the appointment of a compromise committee of thirty-three, one member from each State, I gave my vote in the negative. I shall not now offer any reasons for that vote. I was satisfied with it then, and am more satisfied with it now. Let the record stand. Such committee was constituted; and some of its Northern members, the Southern members not concurring, have proposed various measures.

They propose to admit New Mexico as a State. When we acquired that Territory, slavery was prohibited there by the laws then in force. We proposed to affirm that prohibition; but were told that it would be only "re-enacting the law of God." Some years have passed away, and on looking into the statute book of that Territory, we find that wicked men, "instigated by the devil," have repealed "the law of God," and enacted in its place a most diabolical statute, establishing African slavery, and reducing hired men and women, whether white or black, to slavery. Gentlemen say confidently that New Mexico will be a free State; and, at the same time, propose to bring her in as a measure of conciliation. But who can say that she desires to come in

now, or can defray the expenses of a State Government? And how are pro-slavery rebels to be conciliated by offering them another free State? I cannot comprehend such conciliation. But if I should help now to coerce her to come into the Union, and she should come with the law referred to, sanctioned by a State Constitution, I should not only hide myself from my constituents, but, whipped by my conscience, I should skulk through the rest of my life, endeavoring to hide myself from myself. Have gentlemen so soon forgotten the invasion of Kansas? Sir, I fear that an enabling act for New Mexico at this time would transfer, or rather extend the civil war into that Territory. At all events, if she should come into the Union as a free State, it will not conciliate the South; if she should come as a pro-slavery, seceding State, we do not want her.

It is proposed to request Northern States to repeal such "personal liberty" or "anti-kidnapping acts," or parts of acts, as are unconstitutional, if any are so. Well, sir, we did that some weeks ago, when we voted for the resolution of the gentleman from New Jersey, [Mr. ADRAIN;] and no Southern State or Southern man was appeased thereby. And why shall this Hall echo with complaints against Northern, and be silent as to Southern, legislation and action? Let me make a demand against the South:

Whereas the Constitution requires that "the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States;" and whereas in some of the States citizens of other States are frequently, almost daily, maltreated, scourged, imprisoned, and even put to death, for no other cause than that they voted for Lincoln and Hamlin, or reside at the North, or prefer, or are believed to prefer, free labor to slave labor: Therefore,

Resolved, That American citizens should be protected by "further guaranties," or otherwise, from outrages in their own land, which would be cause of war were they inflicted upon them in any foreign land, either civilized or savage.

I have long been of the opinion that the fugitive slave act should be greatly modified. Let me, in the form of a resolution, point out one grave objection to it:

Whereas the act of Congress, approved September 18, 1850, commonly called "the fugitive slave act," authorizes the officers who issue, or are to execute, process for the arrest and rendition of fugitives from labor, to summon and call to their aid the bystanders, and commands all good citizens to aid and assist whenever so required; and whereas he who is compelled against his will to enter into the service of the slaveholder, and pursue, seize, and give back to bondage the self-liberated slave, is himself a slave; and whereas it is incredible that the pure and patriotic men who made the Constitution intended, not only to give the slaveholder the privilege of recovering his "straying property," but the power to reduce free men to slavery, and compel them to do it for him: Therefore,

Resolved, That the so-called freemen of the land should be emancipated from this odious servitude.

The Missouri compromise act neither prohibited, established, or protected slavery *south* of the line designated by it. But the Senator from Kentucky [Mr. CRITTENDEN] now proposes that, in all the territory which we have since acquired south of that line, and in all that we may *in future* acquire, slavery shall be not only permitted, but protected. I will not attempt to show how, if we grant this demand, we should be giving to the slaveholders what they could not secure when they controlled every branch of the Government, executive, legislative, and judicial; nor will I attempt to show how we should thereby encourage them to involve us in wars with our neighbors to acquire more territory in which to establish slavery. The proposition is a startling one.

Several amendments are proposed to the Constitution in order to give slavery new guaranties. Sir, if that instrument

is to be amended for that purpose, let us make thorough work of it.

Resolved, That disunion and treason may be rendered lawful by adding to article two of the Constitution, the following amendment, to wit:

SEC. 5. Whenever a party shall be beaten in an election for President and Vice President, such party may rebel and take up arms, and, unless the successful shall adopt as its own the principles of the defeated party, and consent to such amendments of the Constitution as the latter party shall dictate, then, in such case the Union shall be at an end.

But if the people desire it, let them have a constitutional Convention, so called and constituted as that freedom shall stand at least an equal chance with slavery.

Gentlemen on the other side of the House are loud in their demands that all platforms be now abandoned. Sir, they may well abandon their platform, which never should have been adopted, and which the people have repudiated. But that is not what they mean. They mean that we shall abandon ours and adopt theirs. Sir, I care nothing for a platform unless it embodies great truths. Some years ago a party, by its delegates, met in Convention in Philadelphia, and adopted a platform, to maintain which they pledged their lives, their fortunes, and their sacred honor. But one member of that party deserted that platform, and ever since the name of Benedict Arnold has been a synonym of perfidy. The treason of the pro-slavery Democracy has not convinced me that my principles are wrong. Had we never yielded to the unjust and imperious demands of the slaveholders, they would not now be in arms. In the language of Grattan, "It is the slave that makes the tyrant, and then murmurs at the tyrant that he himself has constituted." The Union may be saved, but not by surrendering liberty. Let it never be said of me: To save the body of his country he sacrificed its soul. But rather let it be said of me: He loved the Union much—the rights of man more. We have it in our power to prove to the world that there are two Independence days in the history of our country—the one July 4, 1776; the other November 6, 1860. The Whig party died because many of its leaders were cowards, and durst not do right. The Democratic party is dying, if not dead, because many of its leaders were villains, and durst do wrong. As for us, being right, let us dare to do right, and have some faith in truth, and justice, and God. A few days since the Czar of Russia made himself immortal by lifting twenty millions of his subjects from bondage up to freedom. Monarchs abolish slavery; and princes, nobles, and commons, submit. We ask that slavery extend no further; and our nobility rebel. Well, sir, it will be seen which are the stronger, the slave masters or their masters, the people.

"The gods in bounty work up storms about us,
That give mankind occasion to exert
Their hidden strength, and throw out into practice,
Virtues that shun the day, and lie concealed
In the smooth seasons and the calms of life."

Mr. Speaker, is this great nation about to fall? Are the truths of the Declaration of Independence to be "crushed to earth?" Is the sword to be wrested from the hand of justice and the balance-beam of her scales broken? Are the bundled *fasces* of the Republic to be torn asunder? Is our eagle to be brought from towards the sun, and bound at the foot of a pigmy palm, around which is coiled the loathsome thing that crept with a curse out of Paradise? Look, sir, across the city from the western front of the Capitol. You see the unfinished monument to the Father of his Country. How unworthy is it of the memory of that highest style of man. Tell me, sir, is that unfinished pile to be the fitting head-stone to the

buried liberties of a fallen nation? Sir, look further on from the western front of the Capitol. On a gentle eminence you see the National Observatory. There the astronomer nightly turns his telescope towards the starry heavens, and, amid the greater glories of the skies, here and there, he sees little, irregular bodies. We are told that those asteroids are fragments of greater worlds, once members of our solar system, and burst asunder by great convulsions. Perhaps those greater worlds were inhabited by intelligent beings, and perhaps some of those beings may have survived for awhile on those riven and blasted fragments. If so, I do not doubt that they thought that the universe had been wrecked. No doubt, for a time, there was discord in the skies; but harmony was soon restored; and ever since, as for centuries before, those that have had ears to hear have heard the music of the spheres. Torrid Mercury still stands near the sun, and frigid Herschel far away, while still between are the "red helmet of Mars," and the maiden face of Venus. So shall it be with this Republic, made of many republics. An astral system shall still shine on the blue field of our banner. What though some of those stars be dimmed, or even destroyed? Others shall come shining into the group, as new planets sometimes greet the gaze of the astronomer, and, in the light of the central sun of Liberty, we will go back to the way in which our fathers went, and whence we have wandered.

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